

alleging that the article had been shipped by the Randolph Marketing Co., in part from Upland, Calif., and in part from Highland, Calif., on or about March 16 and April 20, 1922, respectively, and transported from the State of California into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act. The article was labeled variously, in part: "Randolph Special, Fancy Washington Navel;" "Geranium Brand, Washington Navels;" and "Coral Brand Washington Navels Grown and Packed by West Highland Citrus Association, Highland, \* \* \* California."

Adulteration of the article was alleged in the libels for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On March 27 and May 2, 1922, respectively, the Randolph Marketing Co., claimant, having admitted the allegations of the libels and consented to the entry of decrees for the condemnation and forfeiture of the property, judgments were entered declaring the product to be adulterated, and it was ordered by the court that the said product be released to the claimant upon payment of the costs of the proceedings and the execution of bonds in the aggregate sum of \$4,000, in conformity with section 10 of the act, conditioned in part that it be salvaged under the supervision of this department, the bad portion destroyed and the good portion delivered to the said claimant without condition.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10840. Misbranding of 2 over 3. U. S. v. Frank C. Boving. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 14552. I. S. No. 9140-r.)**

On June 21, 1921, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against F. C. Boving, Hot Springs, Ark., alleging shipment by said defendant in violation of the Food and Drugs Act, as amended, on or about July 3, 1920, from the State of Arkansas into the State of Illinois, of a quantity of 2 over 3 which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of crude oil containing small quantities of gasoline and kerosene.

Misbranding of the article was alleged in substance in the information for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects thereof, appearing on the labels of the bottles in which the article was contained, falsely and fraudulently represented to the purchaser thereof that the article was effective as a treatment, remedy, and cure for eczema, psoriasis, rheumatism, catarrh, piles, goitre, dandruff, cancer, barber's itch, tetter, granulated eyelids, old sores, neuralgia, scabby, scaly skin, stiff joints, falling hair, cuts, sprains, and sore throat, when, in truth and in fact, it was not.

On July 15, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10841. Adulteration and misbranding of prepared mustard. U. S. v. 27 One-Gallon Bottles of Prepared Mustard. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14802. I. S. No. 5231-r. S. No. W-912.)**

On April 16, 1921, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 27 one-gallon bottles of prepared mustard, remaining in the original unbroken packages at Salt Lake City, alleging that the article had been shipped on or about October 23, 1920, by the Bayle Food Products Co., St. Louis, Mo., and transported from the State of Missouri into the State of Utah, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Prepared Mustard \* \* \* Bayle Food Products Co. St. Louis. Bayle Quality Prepared Mustard."

Adulteration of the article was alleged in the libel for the reason that it contained mustard hulls, which had been mixed and packed with and substituted wholly or in part for the pure article.

Misbranding was alleged for the reason that the labeling on the product was false and misleading in that it designated the contents of the bottles as prepared mustard seed, vinegar, and condiments, and flavored with turmeric, when, in truth and in fact, the article was colored in a manner whereby its

inferiority was concealed, and for the further reason that said article was an imitation of and offered for sale under the distinctive name of another article.

On February 18, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10842. Adulteration and misbranding of orange beverage, limeade, and lemon beverage. U. S. v. 18 Cases of Orange Beverage, 17 Cases of Limeade, 16 Cases of Lemon Beverage. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14984. I. S. Nos. 2122-t, 3486-t. S. No. C-3073.)**

On June 8, 1921, the United States attorney for the Western District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases of orange beverage, 17 cases of limeade, and 16 cases of lemon beverage, remaining in the original unbroken packages at Calumet, Mich., alleging that the article had been shipped on or about October 25, 1920, by the Allouez Mineral Spring Co., Green Bay, Wis., and transported from the State of Wisconsin into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The articles were labeled in part: "Orange Artificial Color," "Limeade Artificial Color," and "Lemon Artificial Flavor and Color."

Adulteration of the articles was alleged in the libel for the reason that a certain substance had been substituted in whole or in part for the articles, namely, a product composed of beverage sweetened with saccharin (in case of orange and limeade artificially colored) had been mixed and packed with and substituted wholly or in part for a product made wholly from fruit, namely, from oranges, lemons, and limes, and for the further reason that said articles had been mixed and artificially colored in a manner whereby the inferiority of said articles was concealed. Adulteration was alleged for the further reason that the articles contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render said articles of food injurious to health.

Misbranding was alleged in substance for the reason that the labeling of the articles bore certain statements, designs, and devices regarding such articles which were false and misleading in certain particulars, namely, that they purported to state and represent that the articles of food, namely, said orange beverage, limeade, and lemon beverage, so-called, were made wholly from fruit, namely, from oranges, limes, and lemons, when, in truth and in fact, they were not wholly a product of oranges, limes, and lemons, as the case might be. Misbranding was alleged in substance for the further reason that said articles were an imitation of and offered for sale under the distinctive names of other articles, namely, products of oranges, limes, and lemons.

On July 18, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10843. Adulteration of walnuts. U. S. v. 345 Bags of Walnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 15134. I. S. No. 10835-t. S. No. W-994.)**

On July 13, 1921, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 345 bags of walnuts at Salt Lake City, Utah, alleging that the article had been shipped on or about April 13, 1921, by the Park Union Foreign Bank Co., Seattle, Wash., and transported from the State of Washington into the State of Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Walnuts \* \* \* from Japan."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted of a filthy, decomposed, or putrid vegetable substance.

On September 23, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*